

REMARKS/ARGUMENTS

Applicant submits this Amendment After Final (“Amendment”) in reply to the Final Office Action (“Office Action”) mailed February 7, 2005.

In this Amendment, Applicant proposes to cancel, without prejudice or disclaimer, claim 68 and to amend claims 73, 75, and 85 to improve clarity and/or better define the claimed invention.

Before entry of this Amendment, claims 59-87 were pending in this application. After entry of this Amendment, claims 59-67 and 69-87 are pending in the application.

The originally-filed specification, claims, abstract, and drawings fully support the proposed amendments to claims 73, 75, and 85. No new matter was introduced.

In the Office Action, the Examiner rejected claims 59-74 under 35 U.S.C. § 112, ¶ 2; stated that claims 59-67 and 72-74 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. § 112, ¶ 2; and indicated that rejoinder of claims 68-71 would be considered upon clarification of the rejection(s) of claims 59-74 under 35 U.S.C. § 112, ¶ 2.

Telephone Interview

During a telephone interview on February 22, 2005, the Examiner indicated that it would not be necessary to rewrite or amend claims 59-67 and 72-74 in order to overcome the rejection(s) under 35 U.S.C. § 112, ¶ 2. Instead, as discussed in the Office Action, it would be possible to clarify/confirm the meaning of the recitation “wherein the at least one carcass ply contacts each first annular insert over a whole surface extension of the first annular insert” and overcome the rejection.

During the interview, Applicant's representative and the Examiner also discussed claim 59 and Figs. 11-16 of the present application; proposed amendments to claims 73, 75, and 85; French Patent Application No. 2,055,988 ("FR '988"); and U.S. Patent No. 3,044,523 to Drakeford et al. ("Drakeford").

Claim 59

Applicant submits that the recitation "wherein the at least one carcass ply contacts each first annular insert over a whole surface extension of the first annular insert" in claim 59 means that the main part of the at least one carcass ply, the end flap of the at least one carcass ply, and/or the transition region between the main part and the end flap contacts the first annular insert over its whole surface extension as shown, for example, in Figs. 11-14 (proposed Species A) and 16 (proposed Species C). In contrast, in Fig. 15 (proposed Species B), for example, a portion of the surface extension of the first annular insert is not contacted by the at least one carcass ply.

Claims 73 and 85

Applicant proposes to amend claims 73 and 85 to recite "wherein the side portions of each strip section partly cover or are partly covered by a side portion of at least one adjoining strip section" (emphasis added). Applicant notes, for example, that in depositing each of the strip sections onto a toroidal support as recited in claim 85, a side portion of the first strip deposited will be partly covered by a side portion of at least one adjoining strip section, while a side portion of the last strip deposited will partly cover a side portion of at least one adjoining strip section.

Claims 68-71

Applicant proposes to cancel, without prejudice or disclaimer, claim 68. Based on the discussion of claim 59 above, Applicant respectfully requests that the Examiner rejoin claims 69-71 and examine them on the merits.

Applicant submit that dependent claims 69-71 are patentable under 35 U.S.C. §§ 102 and 103 over the cited references, including U.S. Patent No. 3,826,297 to Alderfer (“Alderfer”), U.S. Patent No. 4,248,287 to Christman (“Christman”), Drakeford, U.S. Patent No. 3,240,250 to Frazier (“Frazier”), European Patent Application No. 0,467,277 (“EP ’277”), FR ’988, and the other art of record. This is true whether such art is considered alone or in any proper combination, at least due to the direct or indirect dependency of claims 69-71 from independent claim 59.

Claims 75-87

Applicant proposes to amend claim 75 to include substantially all of the recitations of claim 59. Applicant respectfully requests the Examiner rejoin claims 75-87 and examine them on the merits.

Applicant submits that independent claim 75 is patentable under 35 U.S.C. §§ 102 and 103 over the cited references, including Alderfer, Christman, Drakeford, Frazier, EP ’277, FR ’988, and the other art of record at least for the reasons related to claim 59 that were cited by the Examiner in the Office Action.

Applicant submits that dependent claims 76-87 are patentable under 35 U.S.C. §§ 102 and 103 over the cited references, including Alderfer, Christman, Drakeford, Frazier, EP ’277, FR ’988, and the other art of record. This is true whether such art is considered alone or in any

proper combination, at least due to the direct or indirect dependency of claims 76-87 from independent claim 75.

Claim Scope

In discussing the specification, claims, abstract, and drawings in this Amendment, it is to be understood that Applicant is in no way intending to limit the scope of the claims to any exemplary embodiments described in the specification or abstract and/or shown in the drawings. Rather, Applicant believes that Applicant is entitled to have the claims interpreted broadly, to the maximum extent permitted by statute, regulation, and applicable case law.

Summary

In summary, Applicant submits that none of the cited references, including Alderfer, Christman, Drakeford, Frazier, EP '277, FR '988, and the other art of record, either alone or in any proper combination, teaches or suggests Applicant's claimed invention.

Applicant respectfully requests that this Amendment under 37 C.F.R. § 1.116 be entered by the Examiner, placing claims 59-67 and 69-87 in condition for allowance. Applicant submits that the proposed amendments to claims 73, 75, and 85 do not raise new issues or necessitate the undertaking of any additional search of the art by the Examiner, because all of the elements and their relationships claimed were either earlier claimed or inherent in the claims as examined. Therefore, this Amendment should allow for immediate action by the Examiner.

Finally, Applicant submits that the entry of this Amendment would place the application in better form for appeal, should the Examiner dispute the patentability of the pending claims.

In view of the foregoing amendments and remarks, Applicant submits that this claimed invention, as amended, is neither anticipated nor rendered obvious in view of the prior art

references cited against this application. Applicant therefore requests the entry of this Amendment, the Examiner's reconsideration and reexamination of this application, and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

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Dated: April 20, 2005

By: _____
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